

ASSEMBLY BILL

No. 908

Introduced by Assembly Member Adams

February 22, 2007

An act to amend Sections 8557 and 8558 of, to amend the heading of Article 9.8 (commencing with Section 8609) of Chapter 7 of Division 1 of Title 2 of, and to repeal Sections 8558.8 and 8609.2 of, of the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 908, as introduced, Adams. California Emergency Services Act: Year 2000 Problem.

The California Emergency Services Act includes within those events constituting a state or local emergency for purposes of the act, complications resulting from the Year 2000 Problem, as defined, and makes provision for specified activities in preparation or response to that event.

This bill would delete those provisions relating to the Year 2000 Problem.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 8557 of the Government Code is amended
2 to read:
3 8557. (a) "Emergency Council" means the California
4 Emergency Council.

(b) “State agency” means any department, division, independent establishment, or agency of the executive branch of the state government.

(c) “Political subdivision” includes any city, city and county, county, district, or other local governmental agency or public agency authorized by law.

(d) “Governing body” means the legislative body, trustees, or directors of a political subdivision.

(e) “Chief executive” means that individual authorized by law to act for the governing body of a political subdivision.

(f) “Disaster council” and “disaster service worker” have the meaning prescribed in Chapter 1 (commencing with Section 3201) of Part 1 of Division 4 of the Labor Code.

(g) “Public facility” means any facility of the state or a political subdivision, which facility is owned, operated, or maintained, or any combination thereof, through moneys derived by taxation or assessment.

(h) “Sudden and severe energy shortage” means a rapid, unforeseen shortage of energy, resulting from, but not limited to, events such as an embargo, sabotage, the Year 2000 Problem, or natural disasters, and which has statewide, regional, or local impact.

~~(i) “Year 2000 Problem” has the same meaning as that set forth in subdivision (a) of Section 3269 of the Civil Code.~~

SEC. 2. Section 8558 of the Government Code is amended to read:

8558. Three conditions or degrees of emergency are established by this chapter:

(a) “State of war emergency” means the condition which exists immediately, with or without a proclamation thereof by the Governor, whenever this state or nation is attacked by an enemy of the United States, or upon receipt by the state of a warning from the federal government indicating that such an enemy attack is probable or imminent.

(b) “State of emergency” means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor’s warning of an earthquake or volcanic prediction, or an earthquake, ~~complications resulting from the Year 2000~~

1 ~~Problem~~, or other conditions, other than conditions resulting from
2 a labor controversy or conditions causing a “state of war
3 emergency,” which, by reason of their magnitude, are or are likely
4 to be beyond the control of the services, personnel, equipment,
5 and facilities of any single county, city and county, or city and
6 require the combined forces of a mutual aid region or regions to
7 combat, or with respect to regulated energy utilities, a sudden and
8 severe energy shortage requires extraordinary measures beyond
9 the authority vested in the California Public Utilities Commission.

10 (c) “Local emergency” means the duly proclaimed existence of
11 conditions of disaster or of extreme peril to the safety of persons
12 and property within the territorial limits of a county, city and
13 county, or city, caused by such conditions as air pollution, fire,
14 flood, storm, epidemic, riot, drought, sudden and severe energy
15 shortage, plant or animal infestation or disease, the Governor’s
16 warning of an earthquake or volcanic prediction, or an earthquake,
17 ~~complications resulting from the Year 2000 Problem~~, or other
18 conditions, other than conditions resulting from a labor controversy,
19 which are or are likely to be beyond the control of the services,
20 personnel, equipment, and facilities of that political subdivision
21 and require the combined forces of other political subdivisions to
22 combat, or with respect to regulated energy utilities, a sudden and
23 severe energy shortage requires extraordinary measures beyond
24 the authority vested in the California Public Utilities Commission.

25 SEC. 3. Section 8588.8 of the Government Code is repealed.

26 ~~8588.8. The Office of Emergency Services shall serve as the~~
27 ~~central agency in state government for the emergency reporting~~
28 ~~of all disasters and sudden and severe energy shortages related to,~~
29 ~~or potentially related to, the Year 2000 Problem and shall~~
30 ~~coordinate the notification of the appropriate state and local~~
31 ~~administering agencies that may be required to respond to those~~
32 ~~situations as they arise.~~

33 SEC. 4. The heading of Article 9.8 (commencing with Section
34 8609) of Chapter 7 of Division 1 of Title 2 of the Government
35 Code is amended to read:

36
37 Article 9.8. ~~The Year 2000 Problem and Disaster Preparedness~~
38

39 SEC. 5. Section 8609.2 of the Government Code is repealed.

1 ~~8609.2. (a) The authority for the management of the scene of~~
2 ~~an on-highway Year 2000 Problem disaster shall be vested in the~~
3 ~~appropriate law enforcement agency having primary traffic~~
4 ~~investigative authority on the highway where the incident occurs~~
5 ~~or in a local fire protection agency, as provided by Section 2454~~
6 ~~of the Vehicle Code unless otherwise specified by a disaster,~~
7 ~~contingency, or business continuity plan developed pursuant to~~
8 ~~Executive Order D-3-99.~~

9 ~~(b) Pursuant to subdivision (a), the Department of the California~~
10 ~~Highway Patrol shall develop response and on-scene procedures~~
11 ~~for Year 2000 Problem disasters that occur upon the highways~~
12 ~~based upon previous studies for these procedures, insofar as the~~
13 ~~procedures are not inconsistent with the overall plan for initial~~
14 ~~notification of disasters by public agencies and for after-incident~~
15 ~~evaluation and reporting.~~

16 ~~(c) Plans developed pursuant to this section shall be made~~
17 ~~available to local governments and public safety officials upon~~
18 ~~request.~~